NOTIFICATION.

(LAW DEPARTMENT).

No. LAW 228 LOR 62, dated Bangalore, the 17th December 1962.

Ordered that the accompanying Notification No. G.S.R. 501, dated the 6th November 1962, of the Ministry of Labour and Employment, amending the Employees' Provident Funds Scheme, 1952, which has been published in the *Gazette of India*, Part II, Section 3, sub-section (i), dated the 10th November 1962, be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

S. SRIPADARAJ,
Under Secy. to Govt., L. D.

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GOVERNMENT OF INDIA.

MINISTRY OF LABOUR AND EMPLOYMENT.

New Delhi, the 6th November 1962.

G.S.R. 1501.—In exercise of the powers conferred by sub-section (1) of section 5 read with sub-section (1) of section 7 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely :—

1. This Scheme may be called the Employees' Provident Funds (Tenth Amendment) Scheme, 1962.

2. In the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme), after paragraph 68-G, the following paragraph shall be inserted, namely :—

"68-*H*. *Grant of advances in special cases.*

In case of factory or other establishment has been locked up or closed down for more than thirty days for any reason other than an illegal lockout or strike and its employees are rendered unemployed without any compensation, the Commissioner, on being satisfied that no

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compensation to the employees is likely to be paid by the employer within a reasonable time, may authorise payment to a member who was employed in such factory or other establishment, one or more non-recoverable advances from his provident fund account not exceeding his own total contributions including interest thereon up to the date the payment has been authorised."

3. In paragraph 69 of the said Scheme—

(1) after clause (c) of sub-paragraph (1) the following clauses shall be inserted, namely :—

"(j) on termination or service in the case of mass or individual retrenchment :

Provided that in the case of mass retrenchment the payment shall be made immediately and in the case of individual retrenchment payment shall be made if the member has not been employed in any factory or other establishment to which the Act applies for a continuous period of not less than six months immediately preceding the date on which the member makes the application for withdrawal.

(e) in any of the following contingencies, provided the actual payment shall be made only after completing a continuous period of not less than six months immediately preceding the date on which a member makes the application for withdrawal :—

(i) where a factory or other establishment is closed but certain employees who are not retrenched, are transferred by the employer to other factory or establishment not covered under the Act ;

(ii) where a member is transferred from a covered factory or other establishment to another factory or other establishment not covered under the Act, but is under the same employer ; and

(iii) where a member is discharged and is given retrenchment compensation under Industrial Disputes Act, 1947 (14 of 1947)";

(2) sub-paragraph (4) shall be deleted.

[No. PF. II. 7(12)/58.]

P. D. GAIHA, Under Secy.